

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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EMBER RUSSELL,

Plaintiff,

v.

LONG VIEW RECREATIONAL  
VEHICLES, INC. AND LONG VIEW  
RV SUPERSTORES,  
Defendants.

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DOCKET NO. 04-cv-30031-KPN

MOTION TO AMEND COMPLAINT

The plaintiff respectfully moves the Court allow her to amend her Complaint pursuant to Fed. R. Civ. P. 15(a).

When a party files a motion for leave to amend her Complaint, Federal Rule of Civil Procedure 15(a) provides "leave shall be freely given when justice so requires." Fed. R. Civ. P. 15(a); see also Foman v. Davis, 371 U.S. 178, 182 (1962) ; see generally 6 Charles Alan Wright et al., Federal Practice And Procedure §§ 1473 & 1483 (2d ed.1990). The liberal granting of motions for leave to amend reflects the notion that pleadings should allow a claim to be heard on its merits. See Foman, 371 U.S. at 181-82.

As grounds for this motion, the plaintiff states that since the filing of the her Complaint with this Court, the Massachusetts Commission Against Discrimination has granted the plaintiff a right to file a civil action and the Equal Employment Opportunity Commission issued the plaintiff a Notice of her Right to Sue for additional acts and omissions she alleges constituted unlawful discrimination by the defendants. These additional acts and omissions are related to the subject matter of the original

Complaint. In particular, the plaintiff alleges that the defendants wrongfully and discriminatorily discharged her from her employment and retaliated against her for asserting her rights under the state and federal anti-discrimination statutes.

Justice and judicial economy will be served by allowing the filing of the Amended Complaint as discovery and trial preparation will be parallel and many witnesses will be the same. Moreover, a litigation schedule has not yet been set by the Court and no delay will result from allowing the plaintiff's Motion to Amend.

Respectfully submitted,  
EMBER RUSSELL  
By her Attorney,

Dated: June 16, 2004

/s/ Suzanne Garrow  
Suzanne Garrow BBO# 636548  
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the above was served on the attorneys of record for the defendant via electronic and first class mail on June 16, 2004.

/s/ Suzanne Garrow  
Suzanne Garrow